

A G E N D A
REGULAR MEETING OF THE
BOARD OF DIRECTORS OF
TRABUCO CANYON WATER DISTRICT
SEPTEMBER 20, 2006
32003 DOVE CANYON DRIVE
TRABUCO CANYON
ORANGE COUNTY, CALIFORNIA

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

VISITOR PARTICIPATION

Members of the public who wish to make comment on matters appearing on the agenda are asked to identify themselves at this time. Members of the public will be given the opportunity to speak prior to the Board taking action on that item. Please limit comments to five minutes.

ORAL COMMUNICATION

Members of the public who wish to make comment on matters not appearing on the agenda are invited to identify themselves and encouraged to make comment at this time. Directors cannot take action on items not identified on the agenda and will not make decisions on matters. The Board President may direct staff to follow up on issues as deemed appropriate.

DIRECTORS' COMMENTS

REPORT FROM THE GENERAL MANAGER

ITEMS TOO LATE TO BE AGENDIZED

Recommended Action: Determine need and take action on item(s) that arose subsequent to posting the agenda.

CONSENT CALENDAR

All matters under the Consent Calendar will be approved by one motion unless a Board member or member of the public requests a separate action on a specific item.

TCWD REGULAR BOARD MEETING AGENDA
SEPTEMBER 20, 2006
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1A. APPROVAL OF MINUTES

Recommended Action: Approve the Minutes of the Regular Meeting of August 16, 2006 and Special Meeting of August 25, 2006.

1B. TREASURER'S REPORT

1) Finance/Audit Committee Meeting Recaps

Finance/Audit Committee Recommended Action: Receive and file the August 1 and August 15, 2006 Finance/Audit Committee Meeting Recaps.

2) Presentation of Financials

Finance/Audit Committee Recommended Action: Receive and file the July 2006 preliminary statement of revenue and expenses and July 2006 preliminary unaudited financials, as presented.

3) Payment of Bills for Consideration

Finance/Audit Committee Recommended Action: Ratify the payment of bills for consideration in the amount of \$337,407.99 (August 15, 2006), \$135,013.01 (August 2006 payroll and payroll taxes), and \$252,588.06 (September 6, 2006 General Fund). Total: \$725,009.06.

1C. ENGINEERING/OPERATIONAL COMMITTEE MEETING

Engineering/Operational Committee Recommended Action: Receive and file the August 10, 2006 Engineering/Operational Committee Meeting Recap.

1D. RATIFICATION OF DIRECTORS' FEES AND EXPENSES

Finance/Audit Committee Recommended Action: Ratify the Directors' fees and expenses from August 2006.

1E. UNCOLLECTIBLE CUSTOMER ACCOUNTS

Recommended Action: Committee to recommend that the Board authorize staff to write off, but not forgive, uncollectible accounts in the amount of \$1,378.61 to prior year expense.

1F. APPROVAL OF MEMORANDUM OF UNDERSTANDING

Recommended Action: Approve the Memorandum of Understanding regarding Tract No. 12365 (Zadeh Development).

ACTION CALENDAR

All matters under the Action Calendar have been reviewed by the General Manager and Staff prior to the Board's consideration.

ADMINISTRATIVE MATTERS

- 1G. CONSIDERATION OF MODIFICATION TO AGREEMENT FOR SERVICES FOR CALIFORNIA FRIENDLY LANDSCAPE INSTALLATION

Recommended Action: Receive update and ratify the termination of the previously approved Agreement for Services and authorize staff to act as the general contractor for the project. **Funding Source:** General Fund, Capital. **Fiscal Impact:** Unknown at this time.

- 1H. CONSIDERATION AND POSSIBLE ACTION REGARDING FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT

Recommended Action: Adopt Resolution No. 2006-1071 fixing the employer's contribution under the Public Employee's Medical and Hospital Care Act. **Funding Source:** General Fund. **Fiscal Impact:** \$309,560.00 budgeted for FY 06/07.

- 1I. CONSIDERATION OF CONFERENCE ATTENDANCE

Recommended Action: Receive staff report at time of Regular Meeting and take action as Board deems appropriate. **Funding Source:** General Fund. **Fiscal Impact:** Unknown at this time.

ENGINEERING MATTERS

- 1J. CONSIDERATION OF ACTION RELATING TO DRY SEASON WATER RECOVERY PROJECT

Recommended Action: Authorize staff to enter into a Memorandum of Understanding with Sanyo Foods Corp. of America. **Funding Source:** Not applicable.

- 1K. CONSIDERATION OF ACTION RELATING TO RECYCLED WATER DISTRIBUTION SYSTEM EXPANSION

Recommended Action: Authorize staff to enter into an Agreement for Services for the Design Engineering for the Robinson Ranch Recycled Waterline and Zone 4 Dry Season Water Recovery Line. **Funding Source:** General Fund, Capital. **Fiscal Impact:** To be provided at the time of the Regular Board Meeting.

LEGISLATIVE MATTERS

- 1L. REVIEW OF LEGISLATIVE INFORMATIONAL ITEMS

Recommended Action: Receive and file report and review legislative informational item(s), if presented.

ITEMS TOO LATE TO BE AGENDIZED

- 1M. _____
- 1N. _____
- 1O. _____

END ACTION CALENDAR

OTHER MATTERS

- 2. Reports or comments from the General Manager and/or Staff.

ADDITIONAL DIRECTORS' COMMENTS

- 3. Reports or comments.

CLOSED SESSIONS

CLOSED SESSION NO. 1

Real Estate Negotiations - Conference with Real Property Negotiator
The Board of Directors will meet in Closed Session Pursuant to Government Code Section 54956.8 to confer with its Real Property Negotiator regarding: Property located in eastern portion of District boundaries. Negotiating parties: TCWD General Manager and/or real estate consultant. Under negotiation: Instruction to real property negotiator may concern price and terms of possible payment or both.

CLOSED SESSION NO. 2

Existing Litigation.
The Board of Directors will meet in Closed Session pursuant to Government Code Section 54956.9(a) to discuss existing litigation.
Number of Cases: One
Identification of reason for holding Closed Session. TCWD has received a Summons, Orange County Superior Case Number 05CC04740.

CLOSED SESSION NO. 3

Potential Litigation.
The Board of Directors will meet in Closed Session pursuant to Government Code Section 54956.9(b) to discuss potential litigation.
Number of Cases: One
Identification of reason for holding Closed Session. TCWD has received a threat of potential litigation.

ADJOURNMENT

COMPLIANCE WITH THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE SECTION 54954.2.

In compliance with California law and the Americans with Disabilities Act, if you need special disability-related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, or if you need the agenda provided in an alternative format, please contact the District Secretary at (949) 858-0277 at least 48 hours in advance of the scheduled Board meeting. Notification 48 hours prior to the meeting will assist the District in making reasonable arrangements to accommodate your request. The Board meeting room is wheelchair accessible.

Explanation of Funding Sources: Reassessment District No. 5 (California Quartet, Live Oak Ltd., Zadeh, et al); Community Facilities District (CFD) No. 2 (Portola Hills); CFD No. 5 (Robinson Ranch); CFD No. 7 (Dove Canyon); CFD No. 8 (Rancho Cielo); Capital Improvement Charges (CIC).

Upcoming Board Meetings will be held at the District office located at 32003 Dove Canyon Drive, Trabuco Canyon, CA 92679 and are scheduled as follows:

Regular Meeting, October 18, 2006
Regular Meeting, November 15, 2006
Regular Meeting, December 20, 2006

For information regarding meetings of the Trabuco Canyon Water District, please call (949) 858-0277, 24 hours per day, for the dates and times of meetings.

* * * * * Visit our web site at www.tcwd.ca.gov * * * * *